

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Teresa M.<sup>1</sup>

Case No. 24-cv-3939 (JWB/DJF)

Plaintiff,

v.

**ORDER**

Leland Dudek,  
*Acting Commissioner of Social Security,*

Defendant.

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This matter is before the Court on Plaintiff's Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412(d) ("Motion") (ECF No. 18). Plaintiff requests that the Court award \$8,000 in attorney's fees to Plaintiff under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) ("EAJA"). Defendant does not oppose the motion. (*See* ECF No. 20 ¶ 15.)

Based on the parties' agreement and Plaintiff's supporting documents (ECF Nos. 20, 21), the Court grants the Motion. The Government shall pay Plaintiff \$8,000 in attorney fees. In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), the EAJA fees may be subject to offset to satisfy any preexisting debt Plaintiff may owe the United States. If, after receiving the Court's EAJA fee order, the Commissioner: (1) determines Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program; and (2) agrees to waive the requirements of the Anti-Assignment Act, then the EAJA fees will be made payable to Plaintiff's attorney's firm, **Konoski & Partners, P.C.** However, if there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and the

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<sup>1</sup> This District has adopted a policy of using only the first name and last initial of any nongovernmental parties in orders in Social Security matters.

remaining EAJA fees after offset will be paid by check made out to Plaintiff.

Any checks issued for payment (regardless of whether the check is made out to Plaintiff or to Plaintiff's attorney), shall be delivered to Plaintiff's attorney at **Konoski & Partners, P.C., 180 Tices Lane, Suite 204, Building A, East Brunswick, NJ 08816.**

Dated: March 12, 2025

*s/ Dulce J. Foster*  
DULCE J. FOSTER  
United States Magistrate Judge